

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Siaka S.,

Case No. 19-CV-00466 (SRN/BRT)

Petitioner,

v.

**ORDER**

Secretary of Homeland Security et al.,

Respondents.

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Siaka S., pro se.

Ana H. Voss and Ann M. Bildtsen, United States Attorney's Office, 300 South 4th Street, Suite 600, Minneapolis, MN 55415, for Respondents.

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SUSAN RICHARD NELSON, United States District Judge

Petitioner, a lawful permanent resident of the United States who was convicted of an aggravated felony and subsequently ordered removed from this country, filed a Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 [Doc. No. 1]. On March 5, 2019, Petitioner was removed to Liberia. (*See* Pryd Decl. ¶ 6 [Doc. No. 5], Ex. 2 [Doc. No. 5-2].)

Article III of the Constitution grants jurisdiction over cases and controversies. *Ali v. Cangemi*, 419 F.3d 722, 723 (8th Cir. 2005). If a subsequent development in a case results in a court's inability to "grant effective relief, the case is considered moot." *Id.* (citation omitted); *see also Roberts v. Norris*, 415 F.3d 816, 819 (8th Cir. 2005).

In the case of a petition for habeas corpus brought by an immigration detainee, once the petitioner “has been removed from the United States and deported to his native country . . . his petition seeking release from ICE custody becomes moot, as there is no longer a live case or controversy as required by Article III.” *Estrada-Heredia v. Holder*, No. 12-cv-1157 (SRN/SER), 2012 WL 4839113, at \*2 (D. Minn. Sept. 25, 2012) (citations omitted), *adopted by* 2012 WL 4839019 (D. Minn. Oct 11, 2012).

The Government has advised the Court that Petitioner has been removed from the United States. (*See* Pryd Decl. ¶ 6 [Doc. No. 5], Ex. 2 [Doc. No. 5-2].) Because Petitioner has been deported from this country, “[t]his Court can no longer order the relief sought in the Petition.” *Estrada-Heredia*, 2012 WL 4839913, at \*2. Accordingly, because there is no longer a justiciable case or controversy, the petition must be denied as moot.

Based on the foregoing, and all the files, records and proceedings herein, IT IS HEREBY ORDERED that:

1. Petitioner’s Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 [Doc. No. 1] is DENIED; and
2. This action is DISMISSED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: March 21, 2019

s/ Susan Richard Nelson  
SUSAN RICHARD NELSON  
United States District Judge